UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-6600

MICHAEL O. DEVAUGHN,

Petitioner - Appellant,

versus

MICKEY E. RAY, Warden of FCI-Edgefield; UNITED STATES OF AMERICA,

Respondents - Appellees.

No. 04-6601

MICHAEL O. DEVAUGHN,

Petitioner - Appellant,

versus

DAN DOVE, Warden,

Respondent - Appellee.

Appeals from the United States District Court for the District of South Carolina, at Florence. Joseph F. Anderson, Jr., Chief District Judge. (CA-99-3405-17-BE; CA-00-3546-17-BE)

Submitted: August 26, 2004 Decided: September 3, 2004

Before WIDENER and SHEDD, Circuit Judges, and HAMILTON, Senior Circuit Judge.

Dismissed by unpublished per curiam opinion.

Michael O. DeVaughn, Appellant Pro Se.

PER CURIAM:

Michael O. DeVaughn seeks to appeal the district court's orders denying relief on his Fed. R. Civ. P. 60(b) motions in actions filed under 28 U.S.C. § 2255 (2000).* The court dismissed the actions as successive. The order is not appealable unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1) (2000); Reid v. Angelone, 369 F.3d 363, 368-69 (4th Cir. 2004) (holding that appeal from the denial of a Fed. R. Civ. P. 60(b) motion in a habeas action requires a certificate of appealablity). A certificate of appealability will not issue absent "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2) (2000). A prisoner satisfies this standard by demonstrating that reasonable jurists would find that his constitutional claims are debatable and that any dispositive procedural rulings by the district court are also debatable or wrong. See Miller-El v. Cockrell, 537 U.S. 322, 336-38 (2003); Slack v. McDaniel, 529 U.S. 473, 484 (2000); Rose v. Lee, 252 F.3d 676, 683 (4th Cir. 2001). We have independently reviewed the record and conclude that DeVaughn has not made the requisite showing. Accordingly, we deny a certificate of appealability.

To the extent DeVaughn's notice of appeal and informal brief could be construed as a motion for authorization to file a

*The actions were originally filed under 28 U.S.C. § 2241 (2000), and have been consolidated on appeal.

successive § 2255 motion, we deny such authorization. United States v. Winestock, 340 F.3d 200, 208 (4th Cir.), cert. denied, 124 S. Ct. 496 (2003). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED